

MEMORANDUM OF UNDERSTANDING
TO SUPPORT FIRST NATIONS JURISDICTION AND SOVEREIGNTY
AND A RENEWED CROWN-FIRST NATIONS RELATIONSHIP

BETWEEN THE
GOVERNMENT OF CANADA
AND THE
ASSEMBLY OF FIRST NATIONS

Aware that Canada wishes to rectify harms to First Nations caused by colonial inspired policies;

Maintaining that First Nations hold Treaty rights and inherent rights, title, and inherent jurisdictions;

Acknowledging Canada's offer to renew the Nation-to Nation relationship and its willingness to co-develop policies based on recognition of Treaty rights, inherent rights, title and jurisdictions of First Nations;

Mindful that the *United Nations Declaration on the Rights of Indigenous Peoples* (the UN Declaration) sets out minimum standards for the "survival, dignity and well-being" of Indigenous peoples including the equal right of Indigenous peoples to self-determination;

Emphasizing that Canada and the Assembly of First Nations (AFN) wholly support the full and effective implementation of the Truth and Reconciliation Commission's (TRC) 94 Calls to Action and the UN Declaration as an essential framework for renewing the Nation-to-Nation relationship and advancing reconciliation;

Taking into account the Prime Minister has made commitments to work with First Nations in full partnership to bring about fundamental change consistent with Canada's constitutional and international legal obligations;

Mindful the Prime Minister has established a Working Group of Ministers to review relevant federal laws, policies, and operational practices affecting First Nations to ensure the Crown is meeting its constitutional and other legal obligations including Aboriginal and treaty rights and has committed to a joint process with Indigenous peoples to carry out this review;

Noting the AFN has mandates to promote, protect and support the Nation-to-Nation relationship and to advance the implementation of the TRC Calls to Action and the UN Declaration;

Acknowledging the achievement of a renewed Nation-to-Nation relationship requires immediate, ongoing, coordinated, and fundamental law and policy change taken in full partnership with First Nations and a whole of government approach on the part of Canada;

The Parties have agreed as follows:

I. PURPOSE

The purpose of this MOU is:

- a) to promote and foster the renewal of the Nation-to-Nation relationship between Canada and First Nations as holders of Treaty and inherent rights, title, jurisdiction and Aboriginal rights;
- b) to support the full and meaningful implementation of the TRC Calls to Action;
- c) to support the full and meaningful implementation of the UN Declaration on the Rights of Indigenous Peoples;
- d) to support the establishment of mechanisms and processes to ensure the full and meaningful enforcement and implementation of Treaty rights;
- e) to promote cooperation between Canada and First Nations including the joint review, reform and development of federal laws, regulations, procedures, policies and practices that respect First Nations rights;
- f) to jointly identify measures and priorities for closing the socio-economic gap between First Nations and other Canadians; and
- g) to establish transparent and accountable processes to jointly communicate activities, and results.

II. JOINT COMMITMENTS

AND the Parties commit:

1. to the establishment of a permanent, ongoing Cabinet level working group between First Nations leadership and relevant members of the federal Cabinet (AFN-Canada Cabinet level working group) to jointly design and implement a results-focused agenda, to establish targets and outcomes for closing the social and economic gap and to identify priorities for achieving change based on rights recognition in a coordinated way across federal departments and agencies;
2. to hold quarterly meetings of the AFN-Canada Cabinet level working group, with at least one of these meetings to be chaired by the Prime Minister;
3. to establish a steering committee of senior officials to identify requirements to support the AFN-Canada Cabinet level working group (human resources, fiscal, process and machinery of government);
4. to establish joint tables, working groups (with appropriate federal representation reflecting the whole of government commitment including PMO, PCO, Finance and

Treasury Board) as well identify the machinery of government required to advance the priorities in the attached schedule;

5. to facilitate engagement between Canada and First Nations as part of a joint review of federal federal laws, policies, and operational practices to identify measures required to ensure the Crown is meeting its constitutional obligations with respect to Aboriginal and treaty rights; adhering to international human rights standards, including the United Nations Declaration on the Rights of Indigenous Peoples; and supporting the implementation of the Truth and Reconciliation Commission's Calls to Action.
6. to report to Chiefs-in-Assembly, and to Parliament, at least annually on progress; and
7. to review and update the attached Schedule A on an annual basis.

III. NON-BINDING

The Parties further agree that individual First Nations are not bound by any outcome or recommendation developed under this MOU.

IV. FISCAL RESOURCES

To achieve the purposes of this MOU, Canada will provide financial support:

1. to enable the full and meaningful engagement of First Nations as rights holders, through their governments; and
2. to the AFN and to regional First Nation organizations to support First Nations with respect to the purpose of this MOU.

Signed on unceded Algonquin Territory in the City of Ottawa, Ontario on the 21st day of April, 2017.

Perry Bellegarde
National Chief
Assembly of First Nations

Rt. Honourable Justin Trudeau, P.C., M.P.
Prime Minister
Government of Canada

SCHEDULE A
JOINT PRIORITIES

1. co-development of an Indigenous Languages Act to support the preservation, revitalization and strengthening of Indigenous Languages
2. co-development of a national action plan (including a legislative framework) to implement the *UN Declaration on the Rights of Indigenous Peoples*
3. ongoing work to develop options for consideration by Chiefs-in-Assembly and federal decision-makers for a new fiscal relationship to ensure sufficient, predictable and sustained funding for First Nations governments
4. a joint federal law and policy review to decolonize federal law and polices and align federal law and policy with the *UN Declaration on the Rights of Indigenous Peoples* and First Nations' inherent and Treaty rights
5. dialogue and planning to identify priorities, and measure progress, to close the socio-economic gap between First Nations and other Canadians;
6. moving beyond the Indian Act; and
7. such other priorities as may be jointly agreed to.